

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES JONATHAN NICOLAU,

Defendant.

4:13CR3064

FINAL ORDER OF FORFEITURE

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 76). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On September 27, 2013, the Court entered a Preliminary Order of Forfeiture (Filing No. 54) pursuant to the provisions of Title 21, United States Code, Sections 846 and 853, and Title 18, United States Code, Sections 982(a)(1), 1956(a)(1)(B) and 2, based upon the Defendant's plea of guilty to Counts I, II, III, and the Forfeiture Allegation of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in \$3,938 and \$56,120 in United States currency was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on October 3, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on December 23, 2013 (Filing No. 75).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the \$3,938 and \$56,120 in United States currency held by any person or entity are hereby forever barred and foreclosed.

C. The \$3,938 and \$56,120 in United States currency be, and the same hereby are, forfeited to the United States of America.

D. The United States is directed to dispose of said property in accordance with law.

DATED this 26th day of December, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Court